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7  
8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA, ) No. CR 11-00303 PSG  
12 )  
Plaintiff, ) STIPULATION AND ~~PROPOSED~~  
13 vs. ) ORDER CONTINUING HEARING DATE  
14 OSCAR CAMACHO, SR. ) TO DECEMBER 1, 2011, AND  
15 Defendant. ) EXCLUDING TIME UNDER THE SPEEDY  
16 ) TRIAL ACT  
17 )

18 **STIPULATION**

19 Defendant Oscar Camacho Sr., by and through Assistant Federal Public Defender Varell  
20 L. Fuller, and the United States, by and through Assistant United States Attorney Eumi Choi,  
21 hereby stipulate that, with the Court's approval, the status hearing currently set for Thursday,  
22 October 13, 2011, at 9:30 a.m., shall be continued to Thursday, December 1, 2011, at 9:30 a.m.

23 The reason for the requested continuance is, in response to the defense request for further  
24 discovery, defense counsel received on September 14, 2011, approximately five-hundred  
25 additional pages of discovery. Defense counsel's review of the additional discovery provided, as  
26 well as the defense investigation, remains on going. Accordingly, the parties agree that the time  
between October 13, 2011, and December 1, 2011, may be excluded under the Speedy Trial Act,

1 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), for effective preparation by defense counsel.

2 Dated: October 12, 2011

3 \_\_\_\_\_/s/\_\_\_\_\_  
4 VARELL L. FULLER  
5 Assistant Federal Public Defender

6 Dated: October 12, 2011

7 \_\_\_\_\_/s/\_\_\_\_\_  
8 EUMI CHOI  
9 Assistant United States Attorney

10 **[PROPOSED] ORDER**

11 GOOD CAUSE APPEARING, upon stipulation of the parties, IT IS HEREBY  
12 ORDERED that the hearing currently set for Thursday, October 13, 2011, shall be continued to  
13 Thursday, December 1, 2011, at 9:30 a.m.

14 THE COURT FINDS that failing to exclude the time between October 13, 2011, and  
15 December 1, 2011, would unreasonably deny defense counsel reasonable time necessary for  
16 effective preparation, taking into account the exercise of due diligence. *See* 18 U.S.C. §§  
17 3161(h)(7)(B)(iv).

18 THE COURT FINDS that the ends of justice served by excluding the time between  
19 October 13, 2011, and December 1, 2011, from computation under the Speedy Trial Act  
20 outweigh the interests of the public and the defendant in a speedy trial.

21 THEREFORE, IT IS HEREBY ORDERED that the time between October 13, 2011, and  
22 December 1, 2011, shall be excluded from computation under the Speedy Trial Act, 18 U.S.C. §  
23 3161(h)(7)(A) and (B)(iv).

24 IT IS SO ORDERED.

25 Dated: 10/13/2011

26   
THE HONORABLE PAUL S. GREWAL  
United States Magistrate Judge